

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHAWN A. MALESKER and
LANCE M. WOLFE,

Defendants.

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8:13CR220

ORDER

This matter is before the court on the oral motion of counsel for an extension of the discovery and pretrial motion deadline. The motion was made during the arraignment on the Indictment on June 5, 2013, for defendants Shawn A. Malesker (Malesker) and Lance M. Wolfe (Wolfe). Malesker and Wolfe each acknowledged the additional time needed for the motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. Discovery in this matter shall be accomplished **by June 19, 2013**. Malesker and Wolfe shall have **to on or before July 25, 2013**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from June 5, 2013, and July 25, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 5th day of June, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge